



# Hendry County Sheriff's Office

## General Order 9.3

<b>TITLE:</b> Position Vacancy and Announcement	<b>SHERIFF'S APPROVAL:</b> Digital
<b>ORIGINATION DATE:</b> July 20, 2018	<b>REVISION DATE:</b> May 15, 2019
<b>RELATED REFERENCES:</b> <i>Florida Records Retention Schedule GS1-SL, Chapter 893 F.S.</i>	
<b>CFA:</b> 8.01M, 9.01, 9.02M, 9.03, 9.05M, 10.15	
<b>REVIEW FREQUENCY:</b> 3 YEARS	<b>DATE OF NEXT REVIEW:</b> May 15, 2022

**I. PURPOSE:** To provide guidelines for the recruitment and selection process of the Hendry County Sheriff's Office.

**II. SCOPE:** This order shall apply to all sheriff's office members.

**III. POLICY:** It is the policy of the Hendry County Sheriff's Office to train members active in the recruitment process, laws and policies relating to recruitment activities. All components of the selection process are to be valid, job-related, and nondiscriminatory.

### **IV. PROCEDURE:**

#### A. Recruitment and Selection

1. Human Resources administers the agency's recruitment program.
2. All individuals assigned to recruitment and/or selection activities receive training in personnel matters, Equal Employment Opportunity, Americans with Disability Act, affirmative action, cultural diversity awareness, agency selection procedures and candidate qualification requirements.
3. The selection process is administered, scored, evaluated, and interpreted in a uniform or standardized manner for all candidates.
4. Operational elements of the selection process for candidates, which may include time limits, oral instructions, written tests, answer sheets and scoring formulas, are established and applied identically for all candidates.
5. All components of the selection process are to be valid, job related, nondiscriminatory, and avoid adverse impact, regardless of whether the components are administered or provided in-house or by a private sector organization or vendor. Fairness is demonstrated by showing that the element of the selection process results in the least amount of adverse impact (without

unacceptable administrative or cost burdens or loss of validity) when compared to other possible component measures.

B. Position Posting/Advertising

1. Whenever a vacancy occurs, the Sheriff or designee determines how a position is filled.
2. Current employees are given the opportunity to apply for a vacancy prior to hiring an external employee. If the vacancy is not filled, the vacancy is announced.
3. A unit or district with a vacancy sends a request to Human Resources to have the vacancy posted.
4. Vacancies are announced by Human Resources through e-mail and/or posted on PowerDMS.
5. Postings are open for a period of at least 14 days.
6. Internal and external job announcements include the posting date, position title, description of duties, work location, salary, minimum qualifications, application deadline, and how to apply. The job announcement site advertises the agency as an equal opportunity employer.
7. Applications:
  - a. External applications are completed electronically on the official Web site.
  - b. Internal applications are a memo of interest.
8. Applications must be received by the application deadline, as directed in the posting.

C. Application Screening Process, Testing, Interviews

1. Once an application is received, it is screened to determine whether or not the candidate meets all requirements of the open position; any required testing is scheduled.
2. Applications that meet all minimum requirements are provided to HR. Applicants are contacted to continue on to the selection review process.
3. When only one qualified applicant applies for a position, the applicant must interview for the position and pass the selection review board in order to be placed in the position.
4. Candidates who are discontinued at any step of the application review or interview process receive written notification of their status within 30 days.
5. Discontinued applicants may reapply for the same position after one year, or may reapply for other positions provided that nothing in their history indicates they are unfit for employment.
6. Applicants who reapply must complete the entire testing/evaluation process with each reapplication.
7. An applicant is disqualified for the following reasons, which are not all-inclusive.
  - a. If, during the selection process, information is obtained indicating unfitness for employment.

- b. Untruthfulness in the original application process.
- c. Regarding the use of controlled substances, the following standards apply. Persons outside of these descriptions are not considered for further processing or employment with this agency.
  - (1) Use or possession of controlled substances in violation of Florida Statute Chapter 893.
  - (2) No controlled substance use during a five (5) year period preceding application with the Sheriff's Office with the following exceptions:
    - a. No use of steroids or human growth hormone during a three (3) year period preceding application with the Sheriff's Office; does not apply to prescribed medications.
    - b. No marijuana or synthetic drug (synthetic cannabinoids, bath salts, etc.) usage during a three (3) year period preceding application with the Sheriff's Office.
    - c. No controlled substance use during the applicant's employment as a law enforcement officer; does not apply to prescribed medications.
    - d. No sales or deliveries of a controlled substance at any point during the applicant's history.

#### D. Selection Review Boards

- 1. Internal applicants may not be required to pass a selection review board for a civilian position. Internal applicants who do not meet minimum requirements are not considered for the position.
  - a. The selection review process is standardized, validated, and non-discriminatory. Interview questions and the rating instrument are overseen by the Human Resources Director. Questions and rating instruments are anchored in knowledge, skills, abilities and other characteristics specific to the job.
  - b. External candidates who are selected for an interview are required to pass a selection review board. Human Resources selects the most qualified applicants for interviews and coordinates the selection review board schedule. Each selection review board will consist of three (3) or five (5) members.
  - c. Board members are not to be subordinate in rank or pay grade to the vacant position's classification level.
  - d. The Human Resources Director or designee ensures all selection review board members understand the process, questions, instruments, and rating systems. Board members are trained in rating procedures and relevant selection guidelines prior to serving on the board.
  - e. All candidates are interviewed, evaluated and scored in a uniform manner. Candidates are to be asked the same questions in the same order. Every candidate is given the same amount of time in the interview to answer the questions. The assessors must reach consensus as to whether the candidate received a pass/fail rating.
  - f. At the conclusion of each selection review board, The Sheriff makes the final decision.

#### E. Background Investigations

1. Background investigators are required to complete relevant training within one year of assignment.
2. A background investigation of each candidate for sworn and civilian positions is conducted prior to employment.
3. Background investigation results may be used as a single determinant of employment status.
4. HCSO adheres to the FDLE mandated background investigation requirements for sworn employees. For civilians, the background investigation includes, but is not limited to: warrants check, fingerprints check, local records check, prior employment, and criminal history.
5. Polygraph Examination: Applicants may be given a polygraph examination by a trained and certified examiner.
6. Psychological Examinations
  - a. An emotional stability and psychological fitness examination of all candidates is conducted by a licensed professional after a conditional offer of employment, using valid, useful and nondiscriminatory procedures.
  - b. Results of emotional stability and psychological fitness examinations are maintained in accordance with Florida law and stored in a secure manner.
  - c. Psychological examinations may be used as a single determinant of a candidate's discontinuation in two instances: when a candidate is determined to have a psychological disorder incompatible with successful job performance, or when a candidate is shown to possess traits or characteristics that are related to poor job performance. A review of the candidate's file is also conducted to document information corroborating the results of the psychological evaluation.
7. Medical Examination
  - a. Prior to job assignment, a medical examination and drug screening is required of civilian candidates.
  - b. Prior to job assignment, a medical examination and EKG is required of each sworn law enforcement and corrections candidate as required by the Florida Criminal Justice Standards and Training Commission; the job description is provided as reference for the medical examination.
  - c. All medical examination result records are confidential and are to be stored and maintained in accordance with applicable law.
8. Deputy Sheriff and Corrections Deputy Recruits:
  - a. The Florida Department of Law Enforcement's Criminal Justice Standards and Training Commission mandates that upon successful completion of the law enforcement or corrections academy, recruits take the state exam. Recruits not successfully achieving the minimum required score on all portions of the required state law enforcement or corrections exam are not retained as a sworn officer of this agency.
  - b. After successful completion of the complete background investigation and approval by

the Sheriff, a final offer of employment may be made. The Sheriff or designee may offer a civilian employee a probationary appointment pending the outcome of the full background investigation.

#### F. Internal Transfers

1. Eligibility requirements including job-related experience, knowledge, training, education, and other characteristics vary for different positions. All candidates must successfully complete any applicable testing for the position sought. All eligibility requirements must be met by the date the posting is closed. Eligibility requirements for any position are obtained from Human Resources.
2. For sworn positions, candidates must be a member of the bargaining unit class and/or rank of the vacancy, must be meeting standards, and may not have received any formal discipline for the past two years.
3. Employees requesting transfer who have an internal investigation or discipline pending may compete for a vacancy. If the employee is approved for transfer prior to the service of discipline, the employee remains in the new position even if served with the discipline if the position requirements do not mandate removal from the new position.
4. The unit or district supervisor makes a written recommendation to the Sheriff or designee regarding the selection of a candidate.
5. Promotion to a higher pay grade for employees becomes effective after completing the probationary period of no less than six (6) months from the notification to the employee of their selection from the Human Resources Director or designee. Upon completion of the six (6) months, if the promotion has not been completed, the employee begins to receive the new pay rate for the job class to which promoted.

#### G. Administrative Lateral Transfer and Temporary Duty (TDY) Assignments

1. The Sheriff or his designee may temporarily fill assignments or make administrative lateral transfers or upgrade position classifications without utilizing a selection review board process.
2. Except in the case of emergencies, the Sheriff or designee provides a notice consistent with the employee's existing collective bargaining agreement (unless waived by the employee), in writing, stating the reason(s) prior to implementing any change in the member's designated work schedule.
3. A lateral transfer is not considered a demotion, punitive, or disciplinary.
4. Temporary duty assignments are limited to no longer than 180 days, unless an extension is approved by the Sheriff.

#### H. Voluntary Lateral Transfers

1. Sworn employees may request a voluntary lateral transfer by submitting a memo of interest via chain of command to the Chief Deputy. The employee provides a copy of the memo to the command-level supervisor of the unit or district where they are requesting to be transferred.
2. Lateral transfer requests are for a unit or district, not to a specific shift. The command-level supervisor determines where the shift vacancy exists based on operational needs.

3. The command-level supervisor and Chief Deputy determines if the requested transfer staffs the organization in the most cost-effective manner and/or meets the operational needs of the organization.
4. Assignment positions are lateral for the purposes of transfer.

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## V. GLOSSARY

**ADVERSE IMPACT** - A substantially different rate of selection in hiring, promotion, or other employment decisions which works to the disadvantage of members of a race, sex or ethnic group.

**ASSIGNMENT POSITIONS** – Positions deemed necessary by the Sheriff for specialized law enforcement purposes. Employees appointed to assignment positions may receive assignment pay only as compensation. Their official position titles remain the titles in which they are officially classified.

**CONTROLLED SUBSTANCE** – Any drug whose availability is restricted by Florida Statute, Chapter 893, or other applicable law.

**HIRING REVIEW BOARD** – A board made up of employees designated as assessors for all new hire selection review boards. Hiring review board assessors are trained in the interview process, questions, instruments and rating systems, personnel matters, Equal Employment Opportunity, Americans with Disability Act, affirmative action, cultural diversity awareness, agency selection procedures and candidate qualification requirements.

**LATERAL TRANSFER** – An administrative lateral transfer is an employee's move from one position to another within the same bargaining unit classification at the same salary step at the Sheriff's direction. The transfer may refer to the movement of a member from one geographic work location such as a district or division to another, or a work schedule within the same geographic work location to another.

**SYNTHETIC DRUG or SYNTHETIC CHEMICAL and/or CHEMICAL COMPOUND** – A chemical or chemical compound, or substance whose molecular makeup is similar to those substances listed as controlled substances in Florida Statutes Chapter 893, whose intended primary use when introduced into the human body is to mimic the effects of a controlled substance. Synthetic drugs shall mean, but not be limited to, both synthetic cannabinoids and bath salts.

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